

**CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES**  
**MONDAY, MARCH 23, 2020 6:00 P.M.**  
**LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)**

**Members:** Mayor Tom Hartz, Council President, John Halverson, Council Vice President, Cindy Flower, Alderpersons: Selena Proksa, Doug Skates, Tim Dunn, Ken Howell, Shari Straube, and Rich Hedlund

Mayor Hartz called the meeting to order at 6:00 p.m.

Alderman Dunn led the Council in the Pledge of Allegiance.

**Roll Call**

**Present:** Proksa, Skates, Dunn, Flower, Straube, Halverson, Hedlund, and Howell

**Absent:** None

**Awards, Presentations, Proclamations, and Announcements**

**Re-consider business from previous meeting**

None

Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to 5 minutes **\*PUBLIC COMMENTS CAN BE EMAILED TO THE CITY CLERK NO LATER THAN 5:00PM ON THE DAY OF THE MEETING AND WILL BE READ ALOUD\***

Jim Strauss; N1517 Meadow Ridge Cir; Spoke in opposition to Ordinance 20-02. He also spoke in opposition to a commissioner or Council member filing a complaint.

**Acknowledgement of Correspondence**

Clerk Kropf she just read aloud all correspondence received.

**Approve Regular City Council Meeting minutes of March 9, 2020, as prepared and distributed**

Motion by Skates to approve, second by Halverson. No discussion. Motion carried 8-0.

**CONSENT AGENDA**– *Recommended by Finance, Licensing and Regulation on March 3, 2020.* Any item listed on the consent agenda may be removed at the request of any member of the Council. The request requires no second, is not discussed, and is not voted upon.

-2019-2021 Original & Renewal Operator License applications filed by various applicants as listed in packet

-Tier I Event Permit Application filed by the Lake Geneva Downtown Business Improvement District for the event of The Lake Geneva Wine Walk to take place on Sunday, May 10, 2020 from 1:00 p.m. to 4:00 p.m. in various businesses and on various streets through downtown Lake Geneva

-Tier I Event Permit Application filed by the Lake Geneva Downtown Business Improvement District for the event of Semper Half Marathon after Party to be held Saturday, July 11, 2020 from 7:30 a.m. to 11:30 a.m. in Seminary Park

Motion by Howell to approve the consent agenda, second by Proksa. No discussion. Motion carried 8-0.\905\905\905

**Items removed from the Consent Agenda**

**First Reading of Ordinance 20-02** an ordinance amending Section 6-37, Operator Licenses, of Division 1, Generally, of Article II, Licenses, of Chapter 6, Alcohol Beverages, of the Municipal Code of the City of Lake Geneva; Relating to designating the issuing authority for the City of Lake Geneva

Mayor Hartz offered Ordinance 20-02 as a first reading.

City Clerk Kropf gave an explanation for the change in the ordinance.

Discussion/Action regarding second amendment to reimbursement agreement among City of Lake Geneva, Lake Geneva Utility Commission, and Fairwyn LTD as it relates to reimbursement for water tower at Stone Ridge Development  
Motion by Skates to approve, second by Hedlund. City Attorney Draper stated that this agreement was put into place to help pay for the water tower. Motion carried 8-0.

Discussion/Action regarding setting a date to hear a complaint against Samson Enterprises, LLC d/b/a Northsiders Lake Geneva for violation of City of Lake Geneva Municipal Code 6-55(f) and Sec. 125.10(2), Wis. Stats  
Motion by Proksa to approve, second by Skates. City Attorney Draper stated that the Council will need to set a date for the hearing. He then explained the process for setting the hearing and that a hearing must be held within no sooner than 3 days after the issuance of summons but not more than 10 days after. Issue the summons March 24, 2020 with the hearing to be held March 30, 2020. Motion carried 8-0.

Discussion/Action regarding an Emergency Services Agreement with the Town of Bloomfield as it relates to the placement of a traffic control signal placed on the corner of Bloomfield Road and Edwards Boulevard  
Motion by Hedlund to approve, second by Halverson. Hedlund and Proksa stated that they were thankful for the work put in and are excited to see this be done. Flower indicated that she agrees that this is necessary however she worries about the fact that the other bodies didn't vet this issue. Mayor Hartz stated that both DPW Director Earle and Chief Rasmussen were involved with the negotiation process. Hartz added that there is money in the Capital Budget and Superintendent Gottinger stated that he would take this to the school boards to see if there is any money available. Flower asked that this be continued and refer to the Public Works Committee. The first and second agreed on referring this to the Public Works Committee. Flower would like the Committee to determine how much is the City is going to pay for the signal, does the City have the right with the DOT and just general processes about the shared light with the Town of Bloomfield.

Motion to refer to the Public Works Committee failed 4-5, with Dunn, Straube, Hedlund, and Howell voting no also with Mayor Hartz voting no to break the tie.

The original motion to approve carried 7-1, with Flower voting no.

#### **Recommendation of the Finance, Licensing, and Regulation Committee of March 17, 2020- Ald Howell**

Discussion/ Action regarding **Resolution 20-R16** a resolution approving the assigned fund balance for the Fire Department EMS-Act 102 account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R17** a resolution approving the assigned fund balance for the Fire Department CPR account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R18** a resolution approving the assigned fund balance for the Fire Department Donations account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R19** a resolution approving the assigned fund balance for the Police Department donations account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R20** a resolution approving the assigned fund balance for the Police Department state seizures account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R21** a resolution approving the assigned fund balance for the Police Department uniform allowance account as of December 31, 2019  
Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding the purchase of a 2020 International HV507 Chassis from Lakeside International in an amount not to exceed \$102,808.00 to be paid from the 2020 Equipment Replacement Fund

Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action regarding the 2020 maintenance contract for traffic signals with TAPCo

Motion by Skates to approve, second by Halverson. Skates stated that this is the annual contract and that they are the only provider in the area. Motion carried 8-0.

Discussion/Action regarding MSI General Pay Request #3 for the Riviera Restoration Project in an amount not to exceed \$436,145.95

Motion by Howell to approve, second by Skates. Skates stated that this payment came before the next one on the agenda due to staffing changes at MSI. Motion carried 8-0.

Discussion/Action regarding approving Pay Request #2 from MSI General for the Riviera Restoration Project in an amount not to exceed \$201,980.45

Motion by Skates to approve, second by Howell. City Administrator Nord stated that this was brought before the Council last week. He stated that this work has been done and that both he and the Public Works Director reviewed this. Motion carried 8-0.

Discussion/Acceptance of March 17, 2020 Finance, Licensing, and Regulation Committee Payment Approval Reports

Motion by Howell to approve, second by Hedlund. No discussion. Motion carried 8-0.

### **Recommendation of the Planning Commission of March 16, 2020- Ald Skates**

Discussion/Action regarding **Resolution 20-R23** authorizing the issuance of an Amended Precise Implementation Plan (PIP) filed by Daniel E. Schuld, 281 Keys Ave. Hampshire IL 60140 for a request to amend the existing PIP for the property located at 727 Geneva St, Unit 1 in the Central Business (CB) zoning land use, Tax Key No. ZOP00157

Motion by Skates to approve to include all affirmative findings of fact and note staff recommendations, second by Proksa. Skates added that the project is moving forward well and looking great. Mayor added that the PIP does include him adding a patio at grade in the future. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R24** authorizing the issuance of a Conditional Use Permit (CUP) filed by Robert & Barb Hogan 328 Shoreline Rd. Lake Barrington IL 60010 for a request to utilize the Single-family – 4 zoning in the Estate Residential – 1 zoning land use for the property located at 1300 W. Main St. located in the Estate Residential - 1 (ER-1) zoning district. Tax Key No. ZYUP000940

Motion by Skates to approve to include all affirmative findings of fact and note staff recommendations along with removing the older, existing foundation near the southern lot line, second by Proksa. Skates stated that no neighbors objected and that everyone was on board. Motion carried 8-0.

Discussion/Action regarding a Certified Survey Map (CSM) for Constantine Athans, 999 Snake Road & Neuman Family Trust, 4666 Lorraine Ave Dallas TX, 75209 to create a new 4 Lot CSM in the Estate Residential – 1 (ER-1) zoning classification as identified on the certified survey dated 1/10/20 Job # 1901409 for Tax Key Nos. ZWIL00001 thru ZWIL00005

Motion by Skates to approve to include all affirmative findings of fact and note staff recommendations with the condition of a missing easement being recorded , second by Hedlund.

Discussion/Action regarding a General Development Plan (GDP) filed by Omega Homes, 210 O'Connor Dr. Elkhorn WI. 53121, requesting a Planned Development to build 58 single family homes in 3 phases. The property is 17.26 acres located at LaSalle St and Edgewood Dr., in the Multi-Family Residential - 8 (RM-8) zoning district, Tax Key No. ZA424700001

Motion by Skates to approve to include all affirmative findings of fact and note staff recommendations to include the flexibility on the setbacks, lot sizes, inclusion of private streets, and varied lot lines, second by Dunn. Flower stated that this is mirroring what happened at Summerhaven and she did agree with that development. She does not agree with being lenient with the City's ordinance to accommodate a development. Dunn stated that the development was approved with more lots and that some had been eliminated. There were concerns with the inclusion of private roads as the maintenance

tends to fall on the City. Mayor Hartz noted that the private roads will be built to the City's specifications. Motion carried 5-4, with Flower, Straube, Halverson, and Howell voting no. Mayor Hartz voted yes to break the tie.

Discussion/Action regarding a General Development Plan (GDP) filed by the property located at 302 Townline Rd. for a possible Planned Development that would allow 16 residential dwellings on one tax parcel. Applicants Michael Hanley & John Engerman, - DBA Clear Sky LLC. 302 Townline Rd., located in the Planned Industrial (PI) zoning district, Tax Key No. ZYUP00144

Motion by Skates to approve to include all affirmative findings of fact and note staff recommendations to move the Fire Dept off the bike path and flexibility on density, green space, and parking, second by Straube. Skates stated that this was originally brought as storage and that the recommendation had come to introduce small homes. Skates stated that the parcel is very narrow and has been planned very uniquely. Flower stated concerns with the parking with the potential of crowding as it is already limited. She also voiced concerns about parking the overflow of cars on township property. Flower stated that the City has these types of little home developments and that some haven't been maintained. She worries that this development turns into the situation that are currently existing. Mayor Hartz added the homes will be around 1,100 square feet so it isn't a true "tiny homes."

### **Adjournment**

Motion by Dunn to adjourn the meeting of the Common Council, second by Saktis. Motion carried 8-0. The meeting adjourned at 7:49p.m.